

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
NO. 5:17-CR-00111-1H

FILED IN OPEN COURT  
ON 10/9/18  
Peter A. Moore, Jr., Clerk  
US District Court  
Eastern District of NC

UNITED STATES OF AMERICA :  
 :  
 v. :  
 :  
 JOHN DEVERE BATTLE :

ORDER OF FORFEITURE

WHEREAS, pursuant to the defendant being found guilty by Verdict of a jury to Counts One through Eleven of the Criminal Indictment on May 17, 2018, and further evidence of record and as presented by the Government, the Court finds that the following property is hereby forfeitable pursuant to 18 U.S.C. § 924(d)(1), made applicable to this proceeding by virtue of 28 U.S.C. § 2461(c), to wit; an Anderson Rifle, 7.62X39 caliber rifle with serial number 15286733; a Taurus Model 22B, .22 caliber pistol with serial number APE55613; and any and all related ammunition;

AND WHEREAS, by virtue of said Memorandum of Plea Agreement, the United States is now entitled to possession of said personal property, pursuant to Fed. R. Crim. P. 32.2(b)(3);

It is hereby ORDERED, ADJUDGED and DECREED:

1. That based upon the entry of the Verdict as to the defendant, the United States is hereby authorized to seize the above-stated personal property, and it is hereby forfeited to the

United States for disposition in accordance with the law, including destruction, as allowed by Fed. R. Crim. P. 32.2(b)(3). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order is now final as to the defendant.

2. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B).

The Clerk is hereby directed to send copies of this Order to all counsel of record.

SO ORDERED. This 9<sup>th</sup> day of OCT, 2018.

  
MALCOLM J. HOWARD  
Senior United States District Judge